

By McCOY.]

[SENATE FILE No. 304—JUDICIARY.

A BILL

FOR AN ACT TO AMEND SECTION 3639 OF THE CODE OF IOWA IN RELATION
TO EVIDENCE.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That Section 3639 of the Code of Iowa is hereby repealed and the following
2 is enacted in lieu thereof :

3 Section 3639. No party to any action or proceeding, nor any person interested in the
4 court thereof, nor any person from, through or under whom any such party or inter-
5 ested person desires any interest or title by assignment or otherwise, and no hus-
6 band or wife of any such party or persons shall be examined as a witness
7 in his own behalf or interest, or in behalf of the party succeeding to his title
8 or interest, in regard to any personal transaction or communication between such wit-
9 ness and a person at the commencement of such examination, diseased, insane or luna-
10 tic, against the executor, administrator, heir-at-law, next of kin, assignee, legatee,
11 devisee, survivor of such deceased person or the assignee or guardian of such insane
12 person or lunatic. But this prohibition shall not extend to any transaction or communi-
13 cation as to which any such executor, administrator, heir-at-law, next of kin, assignee,
14 legatee, devisee, survivor, or guardian, shall be examined in his own behalf, or as to
15 which the testimony of such deceased or insane person or lunatic shall be given in
evidence.